

Eve H. Cervantez (SBN – 164709)
ALTSHULER BERZON LLP
177 Post Street, Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064
ecervantez@altshulerberzon.com

Mark S. Goldman (*pro hac vice*)
Paul J. Scarlato (*pro hac vice*)
GOLDMAN SCARLATO & PENNY P.C.
8 Tower Bridge, Suite 1025
161 Washington Street
Conshohocken, PA 19428
Telephone: (484) 342-0700
goldman@lawgsp.com
scarlato@lawgsp.com

Alan L. Rosca (*pro hac vice*)
GOLDMAN SCARLATO & PENNY P.C.
23250 Chagrin Blvd., Suite 100
Beachwood, OH 44122
Telephone: (484) 342-0700
rosca@lawgsp.com

Counsel for Plaintiffs and the Class

(Additional Counsel Appear on Signature Page)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ANNIE CHANG, TIGER CHANG
INVESTMENTS, LLC, ASIANS
INVESTING IN REAL ESTATE, LLC,
MELANIE GONZALES, GARY
GONZALES, and G&M YOU-NIQUE
PROPERTY LLC, Individually and On Behalf
of All Others Similarly situated,

Plaintiffs,

vs.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 4:19-cv-01973-HSG

JOINT STIPULATION AND ORDER

1 WHEREAS, all parties jointly request that the Court 1) hold a telephonic Case
2 Management Conference to set a schedule in this action, and 2) extend the date by which
3 Defendant must answer Plaintiffs' complaint for the reasons set forth below;

4 WHEREAS, on September 11, 2019, the parties jointly submitted an initial Case
5 Management Conference Statement (ECF 51), in which they requested that the Court not
6 set a case schedule until after ruling on the Motion to Dismiss (ECF 37) filed by Wells
7 Fargo Bank, N.A. ("Wells Fargo" or "Defendant");

8 WHEREAS, on October 24, 2019, the Court heard argument on Defendant's
9 Motion to Dismiss, but did not hold a Case Management Conference or set any case
10 deadlines (ECF 54);

11 WHEREAS, on April 7, 2020, the Court issued an Order granting in part and
12 denying in part Defendant's Motion to Dismiss (ECF 62);

13 WHEREAS the Court's Order sustained Plaintiffs' claims for aiding and abetting
14 fraud and aiding and abetting a breach of fiduciary duty, and dismissed Plaintiffs' claim
15 for negligence with leave to amend;

16 WHEREAS, Plaintiffs do not intend to amend their complaint incorporating
17 additional allegations at this time, and have so informed Wells Fargo;

18 WHEREAS, the time is now ripe for the Court to hold a Case Management
19 Conference and set dates for further proceedings in this matter;

20 WHEREAS, due to the global pandemic and uncertainty about when courts will
21 re-open, and when travel by out-of-state attorneys will be safe and feasible, the parties
22 respectfully request that the Case Management Conference be held telephonically;

23 WHEREAS, Defendant has requested an additional 14 days through and
24 including May 5, 2020 to answer Plaintiffs' complaint, and Plaintiffs have agreed to the
25 extension;

26 THEREFORE, THE PARTIES HEREBY STIPULATE, AND REQUEST THAT
27 THE COURT SO ORDER:
28

1. A telephonic Case Management Conference shall be held as soon as practicable on or after May 5, 2020.
2. The time for Wells Fargo Bank, N.A., to answer the complaint shall be extended to May 5, 2020.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: April 20, 2020

ALTSHULER BERZON LLP

By: /s/ Eve Cervantez

Eve Cervantez
177 Post Street, Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064
ecervantez@altshulerberzon.com

GOLDMAN SCARLATO & PENNY P.C.

Mark S. Goldman*
Paul J. Scarlato*
8 Tower Bridge, Suite 1025
161 Washington Street
Conshohocken, PA 19428
Telephone: (484) 342-0700
goldman@lawgsp.com
scarlato@lawgsp.com

Alan L. Rosca*
23250 Chagrin Blvd., Suite 100
Beachwood, OH 44122
Telephone: (484) 342-0700
rosca@lawgsp.com

LABATON SUCHAROW LLP

Jonathan Gardner*
Christine M. Fox*
Ross M. Kamhi*
140 Broadway
New York, NY 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
jgardner@labaton.com
cfox@labaton.com
rkamhi@labaton.com

Counsel for Plaintiffs and the Class
*(*pro hac vice)*

1 Dated: April 20, 2020

MCGUIREWOODS LLP

2 By: /s/ K. Issac deVyver
3 K. Issac deVyver (*pro hac vice*)
4 Nellie Hestin (*pro hac vice*)
5 260 Forbes Avenue
6 Suite 1800
7 Pittsburgh, PA 15222
8 Telephone: (412) 667-7909
9 Facsimile: (412) 667-7993

10 David C. Powell
11 Carolee Anne Hoover
12 Two Embarcadero Center
13 Suite 1300
14 San Francisco, CA 94111
15 Telephone: (415) 844-9944
16 Facsimile: (415) 844-9922
17 dpowell@mcguirewoods.com
18 choover@mcguirewoods.com
19 amarienthal@mcguirewoods.com

20 *Counsel for Defendant*

21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

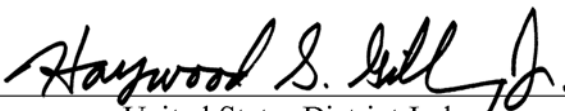
22 A telephonic Case Management Conference will be held on May 5, 2020 at 2:00 p.m.

23 The parties are to file a Joint Case Management Conference statement no later than one
24 week before the scheduled Case Management Conference. All counsel shall use the
25 following dial-in information to access the call:

- 26 • Dial-In: 888-808-6929
- 27 • Passcode: 6064255

28 For call clarity, parties shall NOT use speaker phone or earpieces for these calls, and
where at all possible, parties shall use landlines. The parties are further advised to
ensure that the Court can hear and understand them clearly before speaking at length.

DATED: 4/21/2020


United States District Judge
Haywood S. Gilliam, Jr.